

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HITACHI CONSUMER ELECTRONICS CO.,
LTD., and HITACHI ADVANCED DIGITAL,
INC.

Plaintiff,

v.

TOP VICTORY ELECTRONICS (TAIWAN)
CO. LTD., TPV INT'L (USA), INC.,
ENVISION PERIPHERALS, INC., TOP
VICTORY ELECTRONICS (FUJIAN) CO.
LTD., TPV ELECTRONICS (FUJIAN) CO.
LTD., TPV TECHNOLOGY LTD., and VIZIO,
INC.,

Defendants;

and

VIZIO, INC.,

Counterclaim-Plaintiff,

v.

HITACHI, LTD., HITACHI CONSUMER
ELECTRONICS CO., LTD., HITACHI
ADVANCED DIGITAL, INC., HITACHI
AMERICA, LTD., and HITACHI HOME
ELECTRONICS (AMERICA), INC.

Counterclaim-Defendants,

CIVIL ACTION NO. 2:10-CV-260-JRG

JURY

AMENDED DOCKET CONTROL ORDER

Date	Event
April 1, 2013	*Jury Selection – 9:00 a.m. in Marshall, Texas

March 18, 2013	*Pretrial Conference – 9:00 a.m. in Marshall, Texas
March 13, 2013	<p>*Notify Court of Agreements Reached During Meet and Confer</p> <p>The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i>. The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.</p>
March 11, 2013	*File Joint Pretrial Order, Proposed Jury Instructions, Proposed Verdict Form, and Responses to Motions <i>in Limine</i>
March 4, 2013	<p>*File Notice of Request for Daily Transcript or Real Time Reporting.</p> <p>If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Susan Simmons, at lssimmons@yahoo.com.</p>
February 25, 2013	<p>File Motions <i>in Limine</i></p> <p>The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.</p>
February 25, 2013	Serve Objections to Rebuttal Pretrial Disclosures
February 18, 2013	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
February 4, 2013	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
January 7, 2013	<p>*File Dispositive Motions or Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)</p> <p>No dispositive motion or motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.</p>
January 7, 2013	Deadline to Complete Expert Discovery
December 15, 2012	File Joint Proposal for Streamlining Case For Trial
December 13,	Parties to Meet and Confer Regarding Proposal for Streamlining Case For


2012	Trial
December 10, 2012	Serve Disclosures for Rebuttal Expert Witnesses
November 19, 2012	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
November 19, 2012	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
November 12, 2012	*Deadline to File Letter Briefs Regarding Dispositive Motions
November 7, 2012	Deadline to Complete Mediation
October 31, 2012	Comply with P.R. 3-7 (Opinion of Counsel Defenses)
October 10, 2012	*Claim Construction Hearing – 1:30 p.m. in Marshall, Texas
September 26, 2012	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
September 19, 2012	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
September 12, 2012	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)
August 29, 2012	Comply with P.R. 4-5(a) (Opening Claim Construction Brief) and Submit Technical Tutorials (if any)
August 29, 2012	<p>Deadline to Substantially Complete Document Production and Exchange Privilege Logs</p> <p>Counsel are expected to make good faith efforts to produce all required documents as soon as they are available and not wait until the substantial completion deadline.</p>
August 22, 2012	Comply with P.R. 3-3 & 3-4(b) (Invalidity Contentions) as to U.S. Patent Nos. 7,889,281 and 8,009,375
August 17, 2012	Comply with P.R. 4-3 (Joint Claim Construction Statement)

August 15, 2012	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
August 12, 2012	Deadline to provide P.R. 4-2 counter-constructions to any supplemental P.R. 4-1 claim terms
August 10, 2012	Deadline to supplement P.R. 4-1 claim terms and P.R. 4-2 proposed constructions in view of P.R. 3-3 contentions
August 8, 2012	File Response to Amended Pleadings
August 3, 2012	Comply with P.R. 3-3 (Invalidity Contentions) (except as to U.S. Patent Nos. 7,889,281 and 8,009,375)
July 25, 2012	*File Amended Pleadings It is not necessary to seek leave of Court to amend pleadings prior to this deadline unless the amendment seeks to assert additional patents.
July 23, 2012	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions); Comply with P.R. 3-4(b) (Prior Art Production) (except as to U.S. Patent Nos. 7,889,281 and 8,009,375)
July 2, 2012	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
June 22, 2012	Comply with P.R. 3-4(a)
May 18, 2012	Join Additional Parties
May 11, 2012	Comply with P.R. 3-1 & 3-2 (Infringement Contentions)
May 4, 2012	*File Proposed Docket Control Order, Proposed Discovery Order, and Proposed Protective Order
May 4, 2012	*File Notice of Mediator

(*) indicates a deadline that cannot be changed without showing good cause. Good cause is not shown merely by indicating that the parties agree that the deadline should be changed.

IT IS SO ORDERED

So ORDERED and SIGNED this 7th day of June, 2012.


 RODNEY GILSTRAP
 UNITED STATES DISTRICT JUDGE